

HOUSE No. 1609

By Ms. Balser of Newton, petition of Ruth B. Balser and others for an investigation by a special commission (including members of the General Court) relative to the decriminalization of persons with mental illness. Mental Health and Substance Abuse.

The Commonwealth of Massachusetts

PETITION OF:

Ruth B. Balser	Elizabeth A. Malia
Michael E. Festa	Barbara A. L'Italien
David Paul Linsky	Carl M. Sciortino, Jr.
Steven A. Tolman	Shirley Owens-Hicks
Ellen Story	Robert L. Hedlund
John W. Scibak	Gloria L. Fox
Kathleen M. Teahan	Richard R. Tisei
Mary E. Grant	Anthony J. Verga
Patricia D. Jehlen	Emile J. Goguen
Theodore C. Speliotis	Anne M. Paulsen
Kay Khan	

In the Year Two Thousand and Five.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE DECRIMINALIZATION OF PERSONS WITH MENTAL ILLNESS.

1 SECTION 1. ESTABLISHMENT OF A SPECIAL COMMIS-
2 SION.

3 *Resolved*, That a Special Commission is hereby established for
4 the purpose of studying and making recommendations regarding
5 the following issues: (1) diversion of mentally ill persons from
6 jails and prisons, (2) mental health services for mentally ill per-
7 sons in jail and prison, and (3) services available to mentally ill
8 persons reentering the community after serving time in jail or
9 prison.

10 The special commission shall specifically consider, but need
11 not be limited to, the following: assessment of the effectiveness

12 of the Framingham Jail Diversion; assessment of the concept of
13 Mental Health Courts; assessment of current services available to
14 mentally ill persons in jail and prison; and assessment of mentally
15 ill persons' transition from jail or prison to the community,
16 including their access to health insurance; assessment of coordina-
17 tion of mental health and substance abuse services before, during,
18 and after incarceration.

19 The special commission shall make recommendations on the
20 following matters, but need not be limited to the following: pos-
21 sible expansion of the Framingham Jail Diversion program to
22 other cities and towns; the establishment of Mental Health Courts
23 in Massachusetts; improvements to the mental health and sub-
24 stance abuse services provided within the prisons and jails;
25 improvements to the process of transitioning mentally ill persons
26 from jail or prison into the community.

1 SECTION 2. MEMBERSHIP.

2 Said Special Commission shall consist of the following mem-
3 bers: Two members of the Senate appointed by the Senate Presi-
4 dent; Two members of the House of Representatives appointed by
5 the Speaker of the House of Representatives; Two Mental Health
6 professionals with expertise in forensic mental health appointed
7 by the Massachusetts Mental Health Coalition; The Commissioner
8 of the Department of Mental Health or her designee; The Com-
9 missioner of the Department of Corrections or her designee; One
10 county sheriff appointed by the Massachusetts Sheriff's Associa-
11 tion; One Judge to be appointed by the Chief Justice of Adminis-
12 tration and Management; One District Attorney to be appointed by
13 the Massachusetts Association of District Attorneys; One Police
14 Chief to be appointed by the Massachusetts Police Chiefs' Associ-
15 ation; One person with mental illness who served a sentence to be
16 identified by the National Alliance for the Mentally Ill (NAMI);
17 One family member of a mentally ill person who served a sen-
18 tence, to be identified by NAMI; and One representative of the
19 National Alliance for the Mentally Ill.

1 SECTION 3. REPORT.

2 Said Special Commission shall report to the General Court the
3 results of its investigation and recommendations, together with
4 drafts of legislation necessary to carry its recommendations into
5 effect, by filing the same with the Clerk of the House of Represen-
6 tatives on or before the fifteenth day of December, two thousand
7 and six.